

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE JAMES MADISON PROJECT, *et al.*,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE,

Defendant.

No. 17-cv-00597-APM

DEFENDANT'S NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant hereby respectfully notifies the Court of two recent opinions relevant to the summary judgment motion pending before the Court, each in cases seeking categories of documents similar to those sought here. In *Poulsen v. Department of Defense*, Case No. 17-cv-03531-WHO, 2019 WL 1318380 (N.D. Cal. Mar. 22, 2019), the Court granted the motions for summary judgment filed on behalf of various government agencies and components, including DOJ's National Security Division ("NSD") and the Federal Bureau of Investigation ("the FBI"). Among other things, the court held that the Government had carried its burden with respect to the redactions made to the acknowledged Carter Page FISA applications and the partial Glomar response made in that case. Similarly, in *Gizmodo Media Group, LLC v. Department of Justice*, Case No. 17-cv-03566-DLC, 2019 WL 1469665 (S.D.N.Y. April 3, 2019), the court granted NSD's motion for summary judgment, upholding the partial Glomar response.

The Government further notifies the Court that it is currently evaluating the impact, if any, of the conclusion of the Special Counsel's work in this investigation on this litigation. The Government will file a status report regarding its evaluation by May 17, 2019.

Dated: April 17, 2019

Respectfully Submitted,

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